



South Carolina Law Enforcement Division

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Henry D. McMaster, Governor

Mark A. Keel, Chief

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January 14, 2019

Via Hand-Delivery

The Honorable Henry D. McMaster
South Carolina Governor
State House
1100 Gervais Street
Columbia, South Carolina 29201

The Honorable Harvey S. Peeler, Jr.
President of the South Carolina Senate
213 Gressette Building
Columbia, South Carolina 29201

The Honorable James H. "Jay" Lucas
Speaker of the South Carolina House of Representatives
506 Blatt Building
Columbia, South Carolina 29201

The Honorable Curtis M. Loftis, Jr.
1200 Senate Street, Suite 214
Wade Hampton Building
Columbia, South Carolina 29201

2018 IMMIGRATION COMPLIANCE REPORT

In accordance with Budget Proviso 117.186 of the 2018-2019 Appropriations Bill, the South Carolina Law Enforcement Division hereby publishes the 2018 Immigration Compliance Report.

By way of background, Proviso 117.186 states the following:

117.168. (GP: Immigration Compliance Report) From the funds appropriated to the South Carolina Law Enforcement Division (SLED), the agency shall publish the Immigration Compliance Report (ICR). SLED may conduct investigations necessary to ensure the accuracy of information provided by counties and municipal governments within the ICR. Every agency of this State, and political subdivisions thereof, shall provide documentation that SLED considers necessary for the publication of the ICR. The ICR shall contain a list of county and municipal governments that SLED has certified to

be compliant with Sections 17-13-170(E) and 23-3-1100 of the 1976 Code as well as compliance with any federal laws related to the presence of an unlawful person in the United States in the previous fiscal year. The ICR must be provided to the General Assembly, the Governor, and the State Treasurer by December thirty-first of the current fiscal year.

The State Treasurer shall withhold any remaining disbursement from the Local Government Fund to any county or municipality that is not certified as "compliant" in the ICR; however, this requirement may not be imposed until the first publication of the ICR.

Understanding that the Local Government Fund funds are at issue with compliance, SLED focused its attention and resources on securing the acknowledgment of the local governments of the State of South Carolina so as to establish the initial baseline of compliance with the relevant South Carolina laws for 2018. To that end, SLED generated the attached Immigration Compliance Forms (Attachment A) and distributed such forms to the local governments of the State of South Carolina. SLED would like to take this opportunity to thank the South Carolina Association of Counties, the Municipal Association of South Carolina, the South Carolina Sheriffs' Association, and the South Carolina Police Chiefs Association for their substantial assistance in assisting with the distribution of these forms and with assisting SLED throughout this process.

SLED is pleased to report that SLED has received responsive compliance reports from all 46 of the counties in South Carolina and that all 46 have confirmed compliance with the relevant immigration laws in accordance with Proviso 117.186. Attachment B is a spreadsheet confirming such information. Accordingly, all of South Carolina's counties are "compliant".

SLED is also pleased to report that, based on the information provided and SLED's independent research, SLED can confirm that none of the 271 municipalities of South Carolina are prohibited from complying with the relevant laws set forth in Proviso 117.186. To that end, SLED has received written confirmation of compliance from 257 of the 271 municipalities in South Carolina. Additionally, SLED has received verbal confirmation from 9 additional municipalities (all of which indicated that written confirmation is forthcoming). Attachment C is a spreadsheet of the municipalities from which SLED received written compliance forms or verbal confirmation. Further, while SLED did not receive any response of any kind from 5 municipalities (identified in Attachment D), upon information and belief based upon SLED's independent research into those municipalities, SLED can confirm that none of these municipalities prohibit employees from complying with the relevant South Carolina laws set forth in Proviso 117.186. Please note that SLED is continuing its efforts to reach out to obtain written confirmation of such compliance. However, based on SLED's authority to determine the information necessary for the publication of the ICR and the novelty of this process, SLED would confirm that all of South Carolina's municipalities are "compliant" inasmuch as SLED has no information to the contrary from any municipality.

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Be advised that SLED stands ready to discuss this report at any time and that SLED will maintain all the relevant documentation underlying this report should anyone wish to review such.

Sincerely,

Mark A. Keel
Chief of SLED

Enclosures – listed in text

MAK/alw

Attachment A

IMMIGRATION COMPLIANCE REPORTING FORM

S.C. Code Ann. § 17-13-170(E)

S.C. Code Ann. § 17-13-170(E) mandates that:

Except as provided by federal law, officers and agencies of this State and political subdivisions of this State **may not be prohibited or restricted** from sending, receiving, or maintaining information related to the immigration status of any person or exchanging that information with other federal, state, or local government entities for the following purposes:

- (1) determining eligibility for any public benefit, service, or license provided by the federal government, this State, or a political subdivision of this State;
- (2) verifying any claim of residence or domicile, if determination of residence or domicile is required under the laws of this State or a judicial order issued pursuant to a civil or criminal proceeding in this State;
- (3) determining whether an alien is in compliance with the federal registration laws prescribed by Chapter 7, Title II of the federal Immigration and Nationality Act; or
- (4) pursuant to 8 U.S.C. Section 1373 and 8 U.S.C. Section 1644.

I confirm that, to the best of my knowledge, in the previous fiscal year, the officers and agencies of this State or political subdivision were not **prohibited or restricted** from sending, receiving, or maintaining information related to the immigration status of any person or exchanging that information with other federal, state, or local government entities for any of the purposes set forth above:

Signature

Printed Name of Authorized Responding Official

Name of State Agency or Political Subdivision

Position or Title

Date

IMMIGRATION COMPLIANCE REPORTING FORM

S.C. Code Ann. § 23-3-1100

S.C. Code Ann. § 23-3-1100 states in pertinent part: “[i]f a person is charged with a criminal offense and is confined for any period in a jail of the State, county, or municipality, or a jail operated by a regional jail authority, a reasonable effort shall be made to determine whether the confined person is an alien unlawfully present in the United States.”

I confirm that, to the best of my knowledge, the officers and agencies of this State or political subdivision were not **prohibited or restricted** from complying with S.C. Code Ann. § 23-3-1100 in the previous fiscal year, and that **reasonable effort** was made to comply with S.C. Code Ann. § 23-3-1100.

Signature

Printed Name of Authorized Responding Official

Name of State Agency or Political Subdivision

Position or Title

Date

Attachment B

2018 Compliant Counties

Abbeville County	Greenwood County
Aiken County	Hampton County
Allendale County	Horry County
Anderson County	Jasper County
Bamberg County	Kershaw County
Barnwell County	Lancaster County
Beaufort County	Laurens County
Berkeley County	Lee County
Calhoun County	Lexington County
Charleston County	Marion County
Cherokee County	Marlboro County
Chester County	McCormick County
Chesterfield County	Newberry County
Clarendon County	Oconee County
Colleton County	Orangeburg County
Darlington County	Pickens County
Dillon County	Richland County
Dorchester County	Saluda County
Edgefield County	Spartanburg County
Fairfield County	Sumter County
Florence County	Union County
Georgetown County	Williamsburg County
Greenville County	York County

Attachment C

2018 ICR Compliant Municipalities

City of Abbeville	Town of Hampton	Town of Pelion
City of Aiken	City of Hanahan	Town of Pelzer
Town of Allendale	City of Hardeeville	Town of Pendleton
City of Anderson	Town of Harleyville	Town of Perry
Town of Andrews	City of Hartsville	City of Pickens
Town of Arcadia Lakes	Town of Heath Springs	Town of Pine Ridge
Town of Atlantic Beach	Town of Hemingway	Town of Pinewood
Town of Awendaw	Town of Hickory Grove	Town of Plum Branch
Town of Aynor	Town of Hilda	Town of Pomaria
City of Bamberg	Town of Hilton Head Island	Town of Port Royal
City of Barnwell	Town of Hodges	Town of Prosperity
Town of Batesburg-Leesville	Town of Holly Hill	Town of Quinby
City of Beaufort	Town of Hollywood	Town of Ravenel
City of Belton	Town of Honea Path	Town of Reevesville
City of Bennettsville	City of Inman	Town of Reidville
Town of Bethune	Town of Irmo	Town of Richburg
City of Bishopville	City of Isle of Palms	Town of Ridge Spring
Town of Blacksburg	Town of Iva	Town of Ridgeland
Town of Blackville	Town of Jackson	Town of Ridgeville
Town of Blenheim	Town of James Island	Town of Ridgeway
Town of Bluffton	Town of Jamestown	City of Rock Hill
Town of Blythewood	Town of Jefferson	Town of Rockville
Town of Bonneau	Town of Jenkinsville	Town of Rowesville
Town of Bowman	City of Johnsonville	Town of Salem
Town of Branchville	Town of Johnston	Town of Salley
Town of Briarcliffe Acres	Town of Jonesville	Town of Saluda
Town of Brunson	Town of Kershaw	Town of Santee
Town of Burnetown	Town of Kiawah Island	Town of Scotia
Town of Calhoun Falls	Town of Kingstree	Town of Scranton
City of Camden	Town of Kline	Town of Seabrook Island
Town of Cameron	City of Lake City	Town of Sellers
Town of Campobello	Town of Lake View	City of Seneca
Town of Carlisle	Town of Lamar	Town of Sharon
City of Cayce	City of Lancaster	Town of Silverstreet
Town of Central	City of Landrum	City of Simpsonville
Town of Chapin	Town of Lane	Town of Six Mile
City of Charleston	Town of Latta	Town of Smoaks
Town of Cheraw	City of Laurens	Town of Smyrna
City of Chesnee	Town of Lexington	Town of Snelling
City of Chester	City of Liberty	Town of Society Hill
Town of Chesterfield	Town of Lincolnville	Town of South Congaree
City of Clemson	Town of Little Mountain	City of Spartanburg
City of Clinton	Town of Livingston	Town of Springdale
Town of Clio	Town of Lockhart	Town of Springfield

2018 ICR Compliant Municipalities

Town of Clover	Town of Lodge	Town of St. George
City of Columbia	City of Loris	Town of St. Matthews
City of Conway	Town of Lowndesville	Town of St. Stephen
Town of Cordova	Town of Lowrys	Town of Starr
Town of Cottageville	Town of Luray	Town of Stuckey
Town of Coward	Town of Lyman	Town of Sullivan's Island
Town of Cowpens	Town of Lynchburg	Town of Summerton
Town of Cross Hill	City of Manning	Town of Summerville
City of Darlington	City of Marion	Town of Summit
City of Denmark	City of Mauldin	City of Sumter
City of Dillon	Town of Mayesville	Town of Surfside Beach
Town of Donalds	Town of McBee	Town of Swansea
Town of Due West	Town of McClellanville	Town of Sycamore
Town of Duncan	Town of McColl	Town of Tatum
City of Easley	Town of McConnells	City of Tega Cay
Town of Eastover	Town of McCormick	Town of Timmonsville
Town of Edgefield	Town of Meggett	City of Travelers Rest
Town of Edisto Beach	Town of Moncks Corner	Town of Trenton
Town of Ehrhardt	Town of Monetta	Town of Troy
Town of Elgin	Town of Mount Croghan	Town of Turbeville
Town of Elko	Town of Mount Pleasant	Town of Ulmer
Town of Elloree	City of Mullins	City of Union
Town of Estill	City of Myrtle Beach	Town of Van Wyck
Town of Eutawville	Town of Neeses	Town of Vance
Town of Fairfax	City of New Ellenton	Town of Varnville
City of Florence	City of Newberry	Town of Wagener
City of Folly Beach	Town of Nichols	City of Walhalla
City of Forest Acres	Town of Ninety Six	City of Walterboro
Town of Fort Lawn	Town of Norris	Town of Ward
Town of Fort Mill	Town of North	Town of Ware Shoals
City of Fountain Inn	City of North Augusta	Town of Waterloo
Town of Furman	City of North Charleston	City of Wellford
City of Gaffney	City of North Myrtle Beach	City of West Columbia
Town of Gaston	Town of Norway	Town of West Pelzer
City of Georgetown	Town of Olanta	Town of West Union
Town of Gifford	Town of Olar	City of Westminster
Town of Gilbert	City of Orangeburg	Town of Whitmire
City of Goose Creek	Town of Pacolet	Town of Williamston
Town of Govan	Town of Pageland	Town of Williston
Town of Gray Court	Town of Pamplico	Town of Windsor
Town of Great Falls	Town of Parksville	Town of Winnsboro
Town of Greeleyville	Town of Patrick	Town of Woodford
City of Greenville	Town of Pawleys Island	City of Woodruff
City of Greenwood	Town of Peak	Town of Yemassee

2018 ICR Compliant Municipalities

City of Greer

City of York

Attachment D

2018 Compliant Municipalities Based on SLED Independent Research

Town of Central Pacolet
Town of Cope
Town of Paxville
Town of Ruby
Town of Williams